

CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: March 31, 2009 Name: Jasper W. Dockrey, Reg. No. 33,868 Signature: /Jasper W. Dockrey/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Schuler, et al.

Appln. No.: 10/524,158

Filed: April 21, 2006

For: NON-VOLATILE SEMICONDUCTOR
MEMORY ELEMENT AND
CORRESPONDING PRODUCTION AND
OPERATION METHOD

Examiner: Sarah Kate Salerno

Art Unit: 2814

Conf. No.: 1538

Attorney Docket No.: 10808/205 (In1245/WOUS)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

This application claims priority to the following patent applications: PCT Application Serial No. PCT/DE2003/02678, filed August 8, 2003, which claims the benefit of German patent application No. 102 38 784.2, filed August 23, 2002. In accordance with the duty of disclosure under 37 CFR §1.56 and §§1.97-1.98, and more particularly in accordance with 37 CFR §1.97(d), Applicant hereby cites the following reference(s):

U.S. PATENT DOCUMENTS		
DOCUMENT NO.	DATE	NAME
5,349,222	09/20/1994	Shimoji

FOREIGN PATENT DOCUMENTS		
DOCUMENT NO.	DATE	COUNTRY
EP 1 345 273 A1	17.09.2003	EPO
JP 5235369 A	1993.09.10	Japan
JP 2001230332 A	2001.08.24	Japan
JP 2002170891 A	2002.06.14	Japan

OTHER ART – NON PATENT LITERATURE DOCUMENTS

Japanese Office Action for Patent No. 2004-531667.

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 CFR §1.98(a)(2). Pursuant to the undersigned attorney's obligation and duties under 37 C.F.R. §§ 1.56 and 1.98(a)(3) and (c), either English language abstracts, partial translations, or full translations are included for patent documents which are not in English for the express purpose of providing a concise explanation of the references to the Patent and Trademark Office with the opportunity to evaluate the same. Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 CFR §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 CFR §1.56(a).

For purposes of 37 CFR §1.704(d), the Applicant or Applicants certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement (a copy of any foreign communication first citing a listed reference is attached for the Examiner's reference).

The Applicant or Applicants certifies under 37 CFR §1.97(e)(1) that each item of information in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (a copy of any foreign communication first citing a listed reference is attached for the Examiner's reference). Applicant has further calculated a processing fee in the amount of \$180.00 to be due under 37 CFR §1.17(p) in connection with the filing of this Information Disclosure Statement. Applicant has enclosed a check covering this fee, or authorized

charging the fee to a deposit account or credit card, as indicated in the Transmittal accompanying this Information Disclosure Statement.

Respectfully submitted,

March 31, 2009

Date

/Jasper W. Dockrey/

Jasper W. Dockrey (Reg. No. 33,868)